

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Paul Ritchie et al.

Serial No. : Art Unit:

Filed : October 22, 2003 Examiner:

For : ENERGY APPLICATION SYSTEM WITH ANCILLARY
INFORMATION EXCHANGE CAPABILITY, ENERGY APPLICATOR
AND METHODS ASSOCIATED THEREWITH

EXPRESS MAIL LABEL ER 554 936 093 US

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months

of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee.

Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ Copies of references listed on the attached Form PTO-1449 were previously cited and provided in US serial number 09/066,103 to which this application claims priority.

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. Copies were submitted in prior applications.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ There are no listed references which are not in the English language.

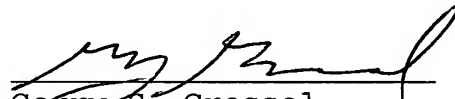
☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/IND 50/GSG. This form is submitted in triplicate.

Respectfully submitted,



Gerry S. Gressel
Reg. No. 34,342
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(513) 337-3535
DATED: October 22, 2003

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

<i>Application Number</i>	09/817,864
<i>Filing Date</i>	March 26, 2001
<i>First Named Inventor</i>	Paul G. Ritchie et al.
<i>Group Art Unit</i>	
<i>Examiner Name</i>	
<i>Attorney Docket Number</i>	IND-501 CON

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		4,326,125		Flies	4/20/82	ALL
		4,578,573		Flies et al.	3/25/86	ALL
		4,752,679		Wehrmacher	6/21/88	ALL
		4,768,496		Kreizman et al.	9/6/88	ALL
		4,822,997		Fuller et al.	4/18/89	ALL
		4,897,789		King et al.	1/30/90	ALL
		4,919,508		Grace et al.	4/24/90	ALL
		4,975,647		Downer et al.	12/4/90	ALL
		5,030,806		Collin	7/9/91	ALL
		5,157,750		Grace et al.	10/20/92	ALL
		5,246,422		Favre	9/21/93	ALL
		5,267,993		Grace et al.	12/7/93	ALL
		5,283,597		Yoshida et al.	2/1/94	ALL
		5,311,426		Donohue et al.	5/10/94	ALL
		5,366,609		White et al.	11/22/94	ALL

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
		PCT	97/29678	A2	Osadchy et al.	8/21/97	ALL	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 3

<i>Application Number</i>	09/817,864
<i>Filing Date</i>	March 26, 2001
<i>First Named Inventor</i>	Paul G. Ritchie et al.
<i>Group Art Unit</i>	
<i>Examiner Name</i>	
<i>Attorney Docket Number</i>	IND-50 CON

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶	
		Office ³	Number ⁴	KindCode ⁵					
		EPO	789 322	A3	Hewlett-Packard Company	8/13/97	ALL		
		EPO	315 400	B1	Fuller et al.	8/31/94	ALL		
Examiner Signature						Date Considered			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 3

Application Number

09/817,864

Filing Date

March 26, 2001

First Named Inventor

Paul G. Ritchie et al.

Group Art Unit

Examiner Name _____

Attorney Docket Number

IND-50 CON

[illegible]

Examiner Signature		Date Considered	
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